

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

PANTRINCA D. WILEY

PLAINTIFF

V.

NO. 3:16CV00275-JMV

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security**

DEFENDANT

ORDER ON PETITION FOR ATTORNEY'S FEES

Before the Court are Plaintiff's motion [22] for attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and Defendant's response [25].

In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Judgment [20] dated August 9, 2017, this court remanded this case to the Commissioner for further proceedings. Plaintiff now seeks attorney's fees in the amount of \$5,293.83 for representation by her counsel before this court on the grounds that she was the prevailing party and the Commissioner's position was not "substantially justified." The Acting Commissioner responds that there is no objection to the request for fees and insists the award should be made payable to Plaintiff.

The Court finds the requested amount is reasonable and no special circumstances would make this award unjust. Additionally, the Court finds it is proper to make the award payable to Plaintiff.

THEREFORE, IT IS ORDERED:

That the Acting Commissioner shall promptly pay to Plaintiff a total of \$5,293.83 in attorney's fees for the benefit of counsel for Plaintiff.

This 1st day of December, 2017.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE